

IRO Certificate #4599

NOTICE OF INDEPENDENT REVIEW DECISION

March 31, 2003

Re: IRO Case # M2-03-0711

Texas Worker's Compensation Commission:

___ has been certified as an independent review organization (IRO) and has been authorized to perform independent reviews of medical necessity for the Texas Worker's Compensation Commission (TWCC). Texas HB. 2600, Rule133.308 effective January 1, 2002, allows a claimant or provider who has received an adverse medical necessity determination from a carrier's internal process, to request an independent review by an IRO.

In accordance with the requirement that TWCC assign cases to certified IROs, TWCC assigned this case to ___ for an independent review. ___ has performed an independent review of the proposed care to determine if the adverse determination was appropriate. For that purpose, ___ received relevant medical records, any documents obtained from parties in making the adverse determination, and any other documents and/or written information submitted in support of the appeal.

The case was reviewed by a physician who is Board Certified in Orthopedic Surgery. He or she has signed a certification statement attesting that no known conflicts of interest exist between him or her and any of the treating physicians or providers, or any of the physicians or providers who reviewed the case for a determination prior to referral to ___ for independent review. In addition, the certification statement further attests that the review was performed without bias for or against the carrier, medical provider, or any other party to this case.

The determination of the ___ reviewer who reviewed this case, based on the medical records provided, is as follows:

History

The patient is a 49-year-old male who reportedly injured his knee in ___. He reportedly underwent arthroscopic knee surgery involving ACL shrinkage/repair, partial medial meniscectomy and chondroplasty. He was found to have grade II-III chondromalacia diffusely in his medial and lateral compartments as well as his patello-femoral joint. He has been through physical therapy post operatively. He has had a couple of functional capacity evaluations. The patient has also been given a self-directed home exercise program.

Requested Service

Work Conditioning

Decision

I agree with the carrier's decision to deny the requested treatment.

Rationale

The patient had a knee arthroscopy following a ___ injury. He has had several months of physical therapy, including previous work conditioning. He has had ample instruction on a home exercise program. The patient also suffers from a diffuse degenerative process in the left knee according to the clinic notes and operative report. It is likely that the degenerative process in the patient's left knee will affect his ability to return to his previous work as a cement finisher regardless of work conditioning. The patient has had ample time since his treatment to perform a self-directed exercise program to strengthen his knee.

This medical necessity decision by an Independent Review Organization is deemed to be a Commission decision and order.

YOUR RIGHT TO REQUEST A HEARING

Either party to this medical dispute may disagree with all or part of the decision and has a right to request a hearing.

If disputing a spinal surgery prospective decision, a request for a hearing must be in writing, and it must be received by the TWCC Chief Clerk of Proceedings within **10** (ten) days of your receipt of this decision (28 Tex. Admin. Code 142.5(c)).

If disputing other prospective medical necessity (preauthorization) decisions, a request for a hearing must be in writing, and it must be received by the TWCC Chief Clerk of Proceedings within **20** (twenty) days of your receipt of this decision (28 Tex. Admin. Code 148.3).

This decision is deemed received by you 5 (five) days after it was mailed (28 Tex. Admin. Code 102.4(h) or 102.5(d)). A request for a hearing should be sent to:
Chief Clerk of Proceedings, Texas Worker's Compensation Commission, P O Box 40669,
Austin, TX 78704-0012. **A copy of this decision should be attached to the request.**

The party appealing this decision shall deliver a copy of its written request for a hearing to all other parties involved in the dispute (Commission Rule 133.308(t)(2)).

Sincerely,

In accordance with Commission Rule 102.4 (b), I hereby certify that a copy of this Independent Review Organization (IRO) decision was sent to the carrier and the requestor or claimant via facsimile or US Postal Service from the office of the IRO on this 2nd day of April 2003.